

1 JASON M. FRIERSON
2 United States Attorney
Nevada Bar No. 7709
3 STEVEN J. ROSE
Assistant United States Attorney
Nevada Bar No. 13575
4 501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
5 *Attorneys for the United States of America*

6 **UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

7 United States of America,

2:24-cr-0063-RFB-NJK

8 Plaintiff,

9
**Order Approving Stipulation to
Continue Initial Appearance,
Arraignment and Plea, and Detention
Hearing**

10 v.

11 DAVID DAVIS,

12 Defendant.
13

14 Based on the pending stipulation of the parties, and upon the Court's finding of good
15 cause, IT IS HEREBY ORDERED:

16 **FINDINGS OF FACT**

- 17 1. The parties agree to the continuance.
18 2. The defendant is currently receiving medical care, and counsel who will be
19 appointed to represent defendant has been unable to safely meet with and consult
20 defendant.
21 3. The additional time requested herein is not sought for purposes of delay, but to
22 facilitate defendant's medical treatment and enable a safe meeting and consultation
23 with his attorney.

4. Additionally, denial of this request for a continuance could result in a miscarriage of justice. The requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161 (h)(7), and 3161(h)(7)(A), considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and (vi).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny counsel for defendant the opportunity to meet with and consult defendant in a medically appropriate and safe manner, potentially interfere with defendant's receipt of medical care, and ability to participate in his initial appearance, arraignment and plea, and detention hearing.

The time from the continuance sought herein is excludable under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7), and 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and (iv).

ORDER

IT IS HEREBY ORDERED that the initial appearance, arraignment and plea, and detention hearing, be vacated and continued to Wednesday, April 17, 2024 at the hour of 2:30 p.m., in LV Courtroom 3A.

DATED this 9th day of April, 2024.

Raymond J. Zanchak
UNITED STATES MAGISTRATE JUDGE